

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO: 05-10370PBS

BARBARA CORDI-ALLEN AND)
JOHN ALLEN,)
Plaintiffs,)
VS.)
JOSEPH R. CONLON, ARTHUR F. HUTLIN,)
NORMAN H. POPE, KEITH S. ALTHAUS,)
and MARINNA MATRICARDI as they are)
Members and collectively the TRURO)
ZONING BOARD OF APPEALS and THE)
TOWN OF TRURO, MASSACHUSETTS,)
AND BROOKE NEWMAN,)
Defendants)

**DEFENDANTS' MOTION FOR LEAVE TO FILE REPLY MEMORANDUM IN
SUPPORT OF THEIR MOTION FOR
SUMMARY JUDGMENT**

Pursuant to Rule 7.1(B)(3), the defendants, Joseph R. Conlon, Arthur F. Hutlin, Norman H. Pope, Keith S. Althaus, and Marinna Matricardi as they are members and collectively the Truro Zoning Board of Appeals and the Town of Truro request leave of this Court to file the attached reply memorandum in support of their motion for summary judgment.

In support, the defendants submit that the plaintiffs' opposition contains misrepresentations concerning the standard of review, the burden of proof, and the nature of the defendants' arguments on summary judgment. The defendants' short Reply Memorandum addresses these contentions. The defendants believe that their Reply Memorandum will assist the Court in its determination of their summary judgment motion.

WHEREFORE, the defendants respectfully request that this Court grant this motion and accept the filing of the Reply Memorandum attached hereto.

Respectfully submitted,
The Defendants,
By their attorneys,

/s/ Deborah I. Ecker

Deborah Ecker, BBO#554623

Deidre Brennan Regan, BBO #552432

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Dated: June 26, 2006